

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHNELLA RICHMOND MOSES,
Personal Representative of the Estate of
MARIE MOSES IRONS, deceased,

Plaintiff,

CIVIL ACTION NO. 04 CV 74889 DT

v.

DISTRICT JUDGE ANNA DIGGS TAYLOR

PROVIDENCE HOSPITAL AND
MEDICAL CENTERS, INC., a
domestic non-profit corporation,

MAGISTRATE JUDGE VIRGINIA MORGAN

Defendant.

ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S MOTION TO COMPEL DISCOVERY

This matter is before the court on Plaintiff's Motion to Compel Discovery filed March 13, 2007 (D/E 100). A hearing on the motion was held before the magistrate judge on April 18, 2007. For the reasons stated on the record,

IT IS ORDERED that the Motion IS GRANTED IN PART and DENIED IN PART as follows:

1. Records of Performance Improvement Committee: This issue was taken under advisement and will be decided by separate order.
2. Deposition of Nurses: Defendant has identified four individuals (three nurses and a transcriber) who are believed to have been involved in Mr. Howard's case.

As to witnesses Click, McCloud and Cybert, plaintiff may take their depositions and defendant shall make them available for deposition on or before May 25, 2007, or as soon thereafter as possible to accommodate the witnesses' schedule.

4. Depositions of Retained Experts:

- Defendant has identified four experts and is limited to those experts -McKee, Gutheil, Stafford and Miletic (or substitute). If defendant chooses to substitute another expert for Miletic, that person must be identified in writing on or before April 20, 2007.
- All final expert reports, including the new expert, must be provided by May 15, 2007.
- The examination of Mr. Howard must be completed in time for inclusion in the May 15, 2007 report. If not completed by that date, the opportunity to examine Mr. Howard is terminated.
- All expert depositions must be completed by June 30, 2007.

So ordered.

s/Virginia M. Morgan
Virginia M. Morgan
United States Magistrate Judge

Dated: April 20, 2007

PROOF OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record via the Court's ECF System and/or U. S. Mail on April 20, 2007.

s/Jane Johnson
Case Manager to
Magistrate Judge Virginia M. Morgan